

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ROBERT FORBIS,

Plaintiff,

v.

CAROLYN W. COLVIN, Commissioner of  
Social Security,

Defendant.

Case No. C13-2169-BJR-BAT

**REPORT AND  
RECOMMENDATION**

Robert Forbis filed a complaint seeking review of the Commissioner's denial of his Supplemental Security Income and Disability Insurance Benefits applications. Dkt. 3. The parties have filed a stipulated motion to reverse and remand the case for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Dkt. 19.

The Court has considered the motion and the record and recommends that the case be **REVERSED** and **REMANDED** pursuant to the parties' stipulation. On remand, the ALJ will hold a de novo hearing and issue a new decision, and Plaintiff may raise any issue and submit additional evidence in support of his claim. The ALJ will further evaluate Plaintiff's maximum residual functional capacity, with specific reference to the opinion evidence of record in support of the assessed limitations, including the report of Dr. Pfeiffer, and clearly articulate the weight accorded such evidence. In so doing, the ALJ will further evaluate Plaintiff's subjective

1 complaints under SSR 96-7p, with further consideration of the effects of Plaintiff's obesity under  
2 SSR 02-1p; as warranted, the ALJ will obtain supplemental vocational expert testimony. Upon  
3 proper presentation, this Court will consider Plaintiff's application for costs and attorney fees  
4 under 28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b).

5 As the parties stipulate to remand, the Court recommends that if this recommendation is  
6 adopted, it be approved immediately. A proposed order accompanies this Report and  
7 Recommendation.

8 DATED this 28th day of May, 2014.

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10 BRIAN A. TSUCHIDA  
11 United States Magistrate Judge  
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